

REMARKS

The Applicants do not believe that examination of the foregoing amendment will result in the introduction of new matter into the present application for invention. Therefore, the Applicants, respectfully, request that the above amendment be entered and that the claims to the present application, kindly, be reconsidered.

The Office Action dated December 3, 2004 has been received and considered by the Applicants. Claims 1-21 are pending in the present application for invention. Claims 1-21 are rejected by the December 3, 2004 Office Action.

The Office Action rejects Claims 1-21 under the provisions of 35 U.S.C. §102(e) as being anticipated by United States Publication No. US 2002/0024693A1 in the name of Manor et al. (hereinafter referred to as Manor et al.).

Regarding rejected Claims 1, 8, and 9, the Examiner states that Manor et al. teach an optical transmission system as defined by the rejected claims. The Applicant would like to, respectfully, point out that the present invention pertains to transmitting a plurality of signals having non-overlapping frequency bands over a single optical line without requiring a multiplexer for the combining the plurality of signals onto the single optical line, as described on page 7 of the specification, lines 12-18. Manor et al. teach a system using a multiplexer shown in Fig. 1. The multiplexer of Manor et al. requires a DWDM package within the multiplexer. The teaching of Manor et al. is an example of the prior art device for which the present invention is an improvement over. The present invention does not require a multiplexing package to combine the plurality of optical signals into the single optical line.

A further example of the differences between the present invention and the disclosure of Manor et al., is that in order to add or drop channels after multiplexing, Manor et al. teach that the signal must first be down converted. The present invention, as described on page 6, lines 8-17 does not require such a down conversion to add or drop lines but instead allows the plurality of signals to be freely combined. Accordingly, Claims 1, 8, and 9 have been amended to define subject matter wherein no multiplexing package is required in the combining of the plurality of transmitted optical signals into the single optical signal in order to clearly distinguish the present invention from the

teachings of Manor et al. Manor et al. do not disclose or suggest the transmission of a plurality of optical signals that are combined into a single optical signal without use of a multiplexing package.

Regarding Claims 2 and 13, the Examiner states that Manor et al. further teach the plurality of optical signal transmitters produce a plurality of optical signals, and wherein the plurality of optical signals are freely combined. The Applicants would like, to respectfully, point out that the foregoing amendment to the claims defines subject matter for combining the signal without a multiplexing package, which is not disclosed or suggested by Manor et al. The Applicants, respectfully, submit that Claims 2 and 13 define subject matter that is allowable over Manor et al.

Regarding Claims 3, 11, and 14, the foregoing amendment to the claims has amended Claim 3, 11 and 14 to show the frequency bands are non-overlapping. The Applicant respectfully point out that Manor et al. combines overlapping and non-overlapping frequency bands. Manor et al. do not teach the combination of unique frequency bands that are entirely non-overlapping. Therefore, Claims 3, 11 and 14 are believed to be allowable.

Regarding Claims 4 and 15, the Examiner states that Manor et al. teach each upconverter is characterized by a frequency band, and further wherein the frequency band is unique to that the upconverter. The Applicants would like, to respectfully, point out that Manor et al. teach that the frequency band of each of the groups is different, however, within the groups channels are created within the same frequency band. Therefore, this rejection is traversed. Elements from Claims 4 and 15 have been incorporated in to their respective independent claims. Therefore, Claims 4 and 15 have been amended to more clearly distinguish the present invention from the teaching of Manor et al. by including recitations regarding of separation the frequency bands and further the frequency bands being about 50 Gz; which are not disclosed or suggested by Manor et al.

The Examiner making the rejection with regard to Claims 5 and 16 states that Manor et al. further teach there is no overlap between frequency bands corresponding to each of the upconverters. As previously discussed, the Applicants disagree and traverse this assertion. However, in an effort to move this case towards allowance, Claim 5 and

have been amended to recite a separation of 50 Gz and the speed of light divided by 50, The Applicants would like, to respectfully, assert that there is no disclosure or suggestion by Manor et al. for separation of frequency bands by either 50Gz or the speed of light divided by 50. Therefore, Claims 5 and 16 are believed to be allowable. .

Regarding Claims 6, 10, and 17, the Examiner states that Manor et al. teach the plurality of optical signals are combined with a splitter/combiner apparatus. The Applicants would like, to respectfully, point out that these claims depend for claims defining that no multiplexing device is used in transmitting the single optical signal, which is not disclosed or suggested by Manor et al. Therefore, these claims are believed to be allowable.

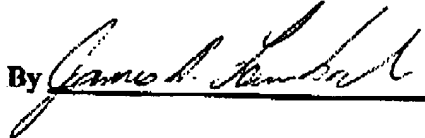
The Examiner making the rejection with regard to Claims 7 and 18-21 states that Manor et al. teach the output from a first of the at least one DWDM receivers and the output from a second of the at least one DWDM receivers are signals having different wavelengths, and wherein the different wavelengths do not converge. The Applicants would like, to respectfully, point out that these claims depend from claims that, as previously discussed are believed to be allowable. Therefore, Claims 7 and 18-21 are believed to be allowable.

Regarding Claim 12, the Examiner asserts that Manor et al. teach an optical transmission system as defined by Claim 12. The Applicant respectfully point out that Claim 12 has been amended to defines subject matter for no multiplexing package being employed in the transmission of the single optical signal to the headend. This subject matter, as previously discussed, is not known or suggested by Manor et al. Therefore, claim 12 is believed to be allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

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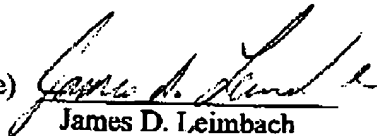
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